



DA *[Signature]*

IN THE UNITED STATES  
PATENT AND TRADEMARK OFFICE

**First Named Applicant:** Thomas A Liebert  
**Attorney Docket No.:** 2000-0288  
**Application No.:** 09/840,492  
**Filing Date:** 04/23/2001  
**Examiner Name:** Lemma, Samson B.  
**Group Art Unit:** 2132  
**Title:** System Providing Dynamic Quality of Services Signaling Messages in a Cable Telephony Network

MAIL STOP PETITION  
COMMISSIONER FOR PATENTS  
P.O. BOX 1450  
ALEXANDRIA, VA 22313-1450

**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT  
ABANDONED UNINTENTIONALLY UNDER 37 C.F.R. § 1.137(b)**

The above-identified patent application became abandoned for failure to timely file a proper reply to the Official Action mailed on October 22, 2004, in which a shortened statutory period of three months was set. The abandonment date for this application is, January 23, 2005, the day after the time period set for reply.

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

07/05/2005 LWONDIM1 00000060 012745 09840492

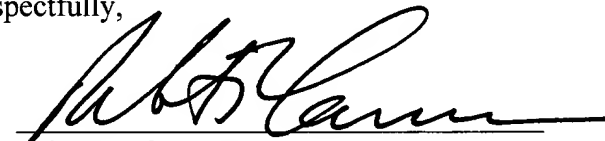
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(1) A reply in the form of an Amendment under 37 C.F.R. § 1.116, canceling all rejected claims and otherwise *prima facie* placing the application in condition for allowance, is enclosed herewith.

- (2) A petition fee of \$1500 under 37 C.F.R. § 1.17(m) is enclosed herewith.
- (3) Since this utility application was filed on or after June 8, 1995, no terminal disclaimer is required.
- (4) STATEMENT: The entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition under 37 C.F.R. § 1.137(b) was unintentional.

Respectfully,

By



Robert T. Canavan  
Reg. No. 37,592  
Telephone: 908-707-1568

Canavan & Monka LLC  
250 State Route 28, Suite 207  
Bridgewater, NJ 08807

Date:

6/28/2005

By completing the Certificate of Mailing below, the date mailed will be considered the date this correspondence is filed.

CERTIFICATE OF MAILING (37 C.F.R. § 1.8(a))

I hereby certify that this correspondence is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

6/28/2005  
Date

Mary J. Curch  
Mary J. Curch

**FEE TRANSMITTAL**

Patent Fees are subject to annual revision.

Complete if Known

Application Number	09/840,492
Filing Date	04/23/2001
First Named Inventor	Liebert, Thomas A.
Examiner Name	Lemna, Samson B.
Group/Art Unit	2132
Attorney Docket No.	2000-0288

TOTAL AMOUNT OF PAYMENT	1500
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**METHOD OF PAYMENT (check one)**

1. The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number	01-2745
Deposit Account Name	AT&T CORP.

<input checked="" type="checkbox"/> Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17	<input type="checkbox"/> Charge the Issue Fee Set in 37 CFR 1.18 at the Mailing Date of the Notice of Allowance
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**FEE CALCULATION****1. FILING FEE**

Large Fee Code	Entity Fee(\$)	Fee Description	Fee Paid
1001	770	Utility(37CFR 1.53(b)) / CPA(37CFR 1.53(d)) Filing Fee	
1002	340	Design Filing Fee	
1004	770	Reissue Filing Fee	
1005	160	Provisional Filing Fee	

**SUBTOTAL (1)****2. CLAIMS**

- |  |
|--|
| <input type="checkbox"/> Filing Under 37CFR 1.53 (b) |
| <input type="checkbox"/> CPA Under 37CFR 1.53 (d)    |
| <input checked="" type="checkbox"/> Amendment        |

Extra Claims		Fee from below	Fee Paid
Total 7	- 20 =	0 x 18	
Ind. 4	- 3 =	0 x 86	

Multiple Dependent Claims

Large Fee Code	Entity Fee(\$)	Fee Description
1202	18	Claims in excess of 20
1201	86	Independent Claims in excess of 3
1203	290	Multiple Dependent Claims
1204	86	** Reissue independent claims over original patent
1205	18	** Reissue claims in excess of 20 and over original patent

\*\* or number previously paid, if greater, for Reissues, see above

**SUBTOTAL (2)****FEE CALCULATION (continued)****3. ADDITIONAL FEES**

Large Fee Code	Entity Fee(\$)	Fee Description	Fee Paid
1051	130	Surcharge - late filing fee or oath	
1052	50	Surcharge - late provisional filing fee or cover sheet	
1053	130	Non-English specification	
1812	2520	For filing a request for reexamination	
1804*	920	Requesting publication of SIR prior to Examiner action	
1805*	1840	Requesting publication of SIR after Examiner action	
1251	110	Extension for response within first month	
1252	420	Extension for response within second month	
1253	950	Extension for response within third month	
1254	1480	Extension for response within fourth month	
1255	2010	Extension for response within fifth month	
1401	330	Notice of Appeal	
1402	330	Filing a brief in support of an appeal	
1403	290	Request for oral hearing	
1504	300	Publication fee for early, voluntary, or normal publication	
1452	110	Petition to revive - unavoidable	
1453	1500	Petition to revive - unintentional	1500
1501	1330	Utility issue fee (or reissue)	
1502	480	Design issue fee	
1460	130	Petitions to the Commissioner	
1807	50	Processing fee for provisional applications	
1806	180	Submission of Information Disclosure Statement	
8021	40	Recording each patent assignment per property (times number of properties)	
1809	770	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	770	For each additional invention to be examined (37 CFR 1.129(b))	
1801	770	Request for Continued Examination (RCE)	
1802	900	Request for expedited exam of a design application	

Other fee (specify):

**SUBTOTAL (3)** 1500**SUBMITTED BY**

Typed or Printed Name	Thomas A. Restaino
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Complete (if applicable)

Reg. Number	33444
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Signature

Date

06/28/05

Deposit Account User ID